

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entirety)**

Docket No.  
14612

In Re Application Of: **Toshihiko Nakamura**

Serial No.  
09/854,159

Filing Date  
May 11, 2001

Examiner  
unassigned

Group Art Unit  
unassigned

Invention: **APPARATUS AND METHOD FOR PRODUCING A PERFORMANCE EVALUATION MODEL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

July 12, 2001

*Date*

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☒ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

**8 sheets formal drawings**  
**Request for Refund**

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☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☒ Fee for processing an application filed with a non-English language specification **\$130.00**

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$260.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due **\$260.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$260.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.  
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-1013 SSMP  
A duplicate copy of this sheet is enclosed.  
☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.  
A duplicate copy of this sheet is enclosed.

Dated: **SEPTEMBER 10, 2001**

*Signature*

**Paul J. Esatto, Jr., Reg. No. 30,749  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343**

I certify that this document and fee is being deposited on  
**September 10, 2001** with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

*Signature of Person Mailing Correspondence*

**Mishelle Mustafa**

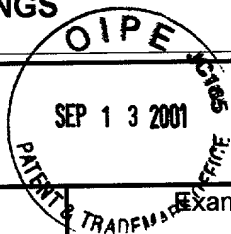
*Typed or Printed Name of Person Mailing Correspondence*

CC:

# TRANSMITTAL OF FORMAL DRAWINGS

Docket No.  
14612

In Re Application Of: Toshihiko Nakamura



Serial No.  
09/854,159

Filing Date  
May 11, 2001

Batch No.

Examiner  
unassigned

Art Unit  
unassigned

Invention: **APPARATUS AND METHOD FOR PRODUCING A PERFORMANCE EVALUATION MODEL**

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Transmitted herewith are:

8 sheets of formal drawing(s) for this application.

Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c) on the reverse side of the drawing.

*Signature*

Paul J. Esatto, Jr., Reg. No. 30,749  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343

Dated: September 10, 2001

I certify that this document and attached formal drawings are being deposited on September 10 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

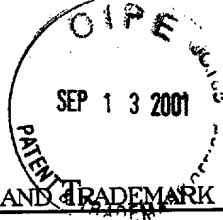
*Signature of Person Mailing Correspondence*

**Mishelle Mustafa**

*Typed or Printed Name of Person Mailing Correspondence*



# UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20531  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/854,159	05/11/2001	Toshihiko Nakamura	14612

CONFIRMATION NO. 9714

## FORMALITIES LETTER



\*OC00000006287725\*

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530

Date Mailed: 07/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$80. *8 independent claims pd. for at time of filing. there are only 7.*
  - \$80 for 5 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is ~~\$340.~~ *260*
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

09/14/2001 EABUBAK1 00000012 09854159

01 FC:105  
02 FC:139

130.00 OP  
130.00 OP

T02F60" 55745360

*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09845880 "ESTD" 09845880